

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
THE COMMONWEALTH OF PUERTO RICO, *et
al.*,
Debtors.¹

PROMESA
Title III
No. 17 BK 3283-LTS
(Jointly Administered)
Re: ECF No. 23238

**INFORMATIVE MOTION AND CERTIFICATION OF THE FINANCIAL OVERSIGHT
AND MANAGEMENT BOARD FOR PUERTO RICO IN COMPLIANCE WITH THE
COURT'S ORDER CONCERNING UNRESOLVED RESPONSES TO CERTAIN
OMNIBUS OBJECTIONS TO CLAIMS [ECF NO. 23238]**

To the Honorable United States District Judge Laura Taylor Swain:

In compliance with the Court's *Order Concerning Unresolved Responses to Certain Omnibus Objections to Claims* [ECF No. 23238 (the "Order")], the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board"), as the sole Title III representative of the Commonwealth of Puerto Rico (the "Commonwealth"), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS"), the Puerto Rico Highways and

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (vi) Puerto Rico Public Buildings Authority ("PBA", and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Transportation Authority (“HTA”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, ERS, and HTA, the “Debtors”) pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully states as follows:

1. On January 11, 2023, the Court issued the Order concerning the following omnibus claim objections (collectively, the “Omnibus Objections”):
 - a. *Three Hundred First Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Highways and Transportation Authority to Miscellaneous Deficient Claims* [ECF No. 16021] (the “Three Hundred First Omnibus Objection”);
 - b. *Three Hundred Seventy-Fourth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Sales Tax Financing Authority, Puerto Rico Highway and Transportation Authority, Employment Retirement System of the Government of the Commonwealth of Puerto Rico, and Puerto Rico Public Building Authority to Late-Filed Claims* [ECF No. 17923] (the “Three Hundred Seventy-Fourth Omnibus Objection”);
 - c. *Three Hundred Eighty-First Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Public Buildings Authority to Employee Claims Asserting Liabilities Owed by Entities That Are Not Title III Debtors* [ECF No. 17917] (the “Three Hundred Eighty-First Omnibus Objection”);
 - d. *Three Hundred Eighty-Second Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Employee Claims Asserting Liabilities Owed by Entities that Are Not Title III Debtors* [ECF No. 17920] (the “Three Hundred Eighty-Second Omnibus Objection”);
 - e. *Three Hundred Eighty-Third Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to Employee Claims Asserting Liabilities Owed by Entities that Are Not Title III Debtors* [ECF No. 17922] (the “Three Hundred Eighty-Third Omnibus Objection”);
 - f. *Three Hundred Ninetieth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico to No Liability Claims* [ECF No. 17973] (the “Three Hundred Ninetieth Omnibus Objection”); and

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

g. *Three Hundred Ninety-Seventh Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and Puerto Rico Public Buildings Authority to Late-Filed Claims* [ECF No. 18961] (the “Three Hundred Ninety-Seventh Omnibus Objection”).

2. The Order acknowledged that the Oversight Board filed notices of presentment for each of the Omnibus Objections, but noted that for each Omnibus Objection there was “at least one pending unresolved response” (an “Unresolved Response”) which “was filed after the response deadline for the corresponding [Omnibus Objection].” Order at 2.

3. To that end, the Order directed the Oversight Board to file replies, on or before February 2, 2023, at 5:00 p.m. (Atlantic Standard Time), to any Unresolved Response that met the following criteria (the “Criteria”): “(i) any Unresolved Response that is dated on or before the applicable response deadline and was filed within thirty (30) days of the applicable response deadline; and (ii) any Unresolved Response that proffers any reason for being filed after the applicable response deadline.” *Id.*

4. The Order further directed the Oversight Board “to file a certification with respect to each Omnibus Claim Objection that does not have any Unresolved Responses that meet the [Criteria].” *Id.*

5. In compliance with the Order, the Oversight Board hereby identifies the following responses that meet the Criteria set forth in the Order for each of the Omnibus Objections.

6. *Three Hundred First Omnibus Objection.* Several Claimants associated with claims subject to the Three Hundred First Omnibus Objection filed responses that satisfy the Criteria. Proof of Claim No. 174178 (response at ECF No. 16492) has already been transferred into ACR and resolved through the Commonwealth’s existing administrative processes, however, and, as such, no further action is required by either the Court or the Oversight Board. Proofs of

Claim Nos. 175955 and 174471 (responses at ECF Nos. 16333 and 19801) are currently subject to the *Four Hundred Third Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Sales Tax Financing Corporation to Employee Claims Asserting Liabilities Owed by Entities That Are Not Title III Debtors* [ECF No. 19552 (the “Four Hundred Third Omnibus Objection”)]. Upon further review of these responses and corresponding claims, and in light of them being subject to the Four Hundred Third Omnibus Objection, contemporaneously herewith, the Oversight Board is withdrawing the Three Hundred First Omnibus Objection, solely with respect to Proofs of Claim Nos. 175955 and 174471. Additionally, the Claimant associated with Claim No. 155191 filed a response to the Three Hundred Seventy-Fourth Omnibus Objection that satisfies the Criteria. [ECF No. 21930.] Upon review of the response and corresponding claim, the Oversight Board has determined to transfer Proof of Claim No. 155191 into ACR, and is doing so contemporaneously herewith.

7. *Three Hundred Seventy-Fourth Omnibus Objection.* Claimants associated with Proofs of Claim Nos. 96437 and 175820 filed responses to the Three Hundred Seventy-Fourth Omnibus Objection that satisfy the Criteria. [ECF Nos. 18218 and 21004.] Upon review of these responses and corresponding claims, the Oversight Board has determined to transfer Proofs of Claim Nos. 96437 and 175820 into ACR, and is doing so contemporaneously herewith.

8. *Three Hundred Eighty-First Omnibus Objection, Three Hundred Eighty-Second Omnibus Objection, and Three Hundred Eighty-Third Omnibus Objection.* The Oversight Board identified several Unresolved Responses to the Three Hundred Eighty-First, Three Hundred Eighty-Second, and Three Hundred Eighty-First Omnibus Objection that satisfy the Criteria, as set forth in more detail in Appendix A (collectively, the “Responses to Be Addressed”).

Accordingly, contemporaneously herewith and in compliance with the Order, the Oversight Board is filing (1) replies to the Responses to Be Addressed, and (2) certified English translations of the Responses to Be Addressed.

9. *Three Hundred Ninetieth Omnibus Objection and Three Hundred Ninety-Seventh Omnibus Objection.* The Oversight Board hereby certifies that, upon a thorough review of the docket in the Commonwealth's Title III case, the Oversight Board identified no responses that satisfy the Criteria as to the Three Hundred Ninetieth and Three Hundred Ninety-Seventh Omnibus Objections.

WHEREFORE the Oversight Board respectfully requests that this Honorable Court take notice of the filing of this Informative Motion in compliance with the Court's Order.

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Dated: February 2, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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Appendix A
Responses to Be Addressed

1. Three Hundred Eighty-First Omnibus Objection:

- *Reply to Omnibus Objection* [ECF No. 19830] filed by Arnaldo Torres Escobar;
- *Reply to Omnibus Objection* [ECF No. 19831] filed by Sandra Lugo Gonzalez;
- *Reply to Omnibus Objection* [ECF No. 19889] filed by Myra Morales Martinez;
- *Reply to Omnibus Objection* [ECF No. 21122] filed by Doris Cintron Gonzalez;
- *Reply to Omnibus Objection* [ECF No. 21123] filed by Mayra Ivelisse Villanueva Correa;
- *Reply to Omnibus Objection* [ECF No. 21465] filed by Reynaldo Vega Vargas;
- *Reply to Omnibus Objection* [ECF No. 21686] filed by Marta E. Santos Santiago;
- *Reply to Omnibus Objection* [ECF No. 23118] filed by Zulma I. Fare Santiago.

2. Three Hundred Eighty-Second Omnibus Objection:

- *Reply to Omnibus Objection* [ECF No. 19822] filed by Evelyn Vázquez Rivera;
- *Reply to Omnibus Objection* [ECF No. 19830] filed by Arnaldo Torres Escobar;
- *Reply to Omnibus Objection* [ECF No. 19880] filed by Nidya Marquez Rivera;
- *Reply to Omnibus Objection* [ECF No. 19881] filed by Carmen D. Valdez Peralta;
- *Reply to Omnibus Objection* [ECF No. 19885] filed by Wilfred Negrón Pérez;
- *Reply to Omnibus Objection* [ECF No. 19894] filed by Elizabeth Marquez Rivera;
- *Reply to Omnibus Objection* [ECF No. 21122] filed by Doris Cintron Gonzalez;
- *Reply to Omnibus Objection* [ECF No. 21123] filed by Mayra Ivelisse Villanueva Correa;
- *Reply to Omnibus Objection* [ECF No. 21465] filed by Reynaldo Vega Vargas;
- *Reply to Omnibus Objection* [ECF No. 21686] filed by Marta E. Santos Santiago;
- *Reply to Omnibus Objection* [ECF No. 22358] filed by Arleen J. Nieves Correa;
- *Reply to Omnibus Objection* [ECF No. 22994] filed by Juana M. Delgado Pérez;
- *Reply to Omnibus Objection* [ECF No. 22995] filed by Hector M. Vazquez Claudio;
- *Reply to Omnibus Objection* [ECF No. 23296] filed by Osvaldo L. Sanchez Ramos.

3. Three Hundred Eighty-Third Omnibus Objection:

- *Reply to Omnibus Objection* [ECF No. 19881] filed by Carmen D. Valdez Peralta;
- *Reply to Omnibus Objection* [ECF No. 22488] filed by Mildred E. Peralta Vazquez.